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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Advanced Television Systems
and Their Impact upon the
Existing Television Broadcast
Service

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MM Docket No. 87-268

To: The Commission

PETITION FOR RECONSIDERATION

Reece Associates Limited ("Reece"), the permittee of television broadcast station WZKY (NTSC channel 27), Orlando, Florida, by its attorneys, hereby petitions the Commission to reconsider its decision in the *Sixth Report and Order* in the above-captioned proceeding to assign to WZKY digital television (DTV) channel 14. Reece files this petition as a supplement to its Petition to Reconsideration filed on June 13, 1997 wherein Reece expressed concern that it was not able to fully evaluate its DTV channel assignment without OET Bulletin No. 69. In support of its petition, Reece states the following:

1. As detailed in the attached engineering statement, recent examination of data regarding the characteristics of the DTV signal indicates there is a likelihood that WZKY will be unable to protect land mobile licensees operating in and around Orlando, Florida on frequencies immediately adjacent to the 470 MHz to 476 MHz band. In its Sixth Report and Order, the Commission acknowledged the difficulties of television licensees conducting NTSC operations on channels 14 and 69 in protecting land mobile licensees. See Sixth Report and Order at ¶¶ 152-165.

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2. Reece's preference is that it be able to conduct WZKY's digital operations on channel 14 in Orlando because the channel falls within the spectrum the Commission currently

identifies as "core" DTV spectrum. However, it is believed that there are land mobile licensees utilizing the frequencies adjacent to channel 14 in Orlando and its surrounding communities, making it highly likely that impermissible interference under Section 73.687(e) of the Commission's rules will result between these land mobile licensees and WZKY's digital operations. Because television licensees are required to take the steps and incur the costs to remedy such interference, which in some markets has included the costs to relocate land mobile licensees to new frequencies, Reece believes it is in the best interest of WZKY and the land mobile licensees in the Orlando area for Reece to receive a new DTV assignment. Short of the promulgation of new interference standards which would absolve Reece and other DTV channel 14 licensees of the responsibility to cure interference to land mobile licenses, a new DTV channel assignment for WZKY will almost certainly be necessary.

3. A preliminary study of the potential alternate DTV channels for WZKY suggests that WZKY can use channel 4 for digital operations at the transmitter site currently proposed for WZKY in a pending modification application. If it is determined that it necessary for WZKY to receive a new DTV channel assignment, Reece proposes that it be assigned DTV channel 4 and then, alternately, a channel identified by the Commission as suitable if the Commission determines WZKY cannot be assigned channel 4.

4. Due to the press of business, the study conducted for alternate DTV channels for WZKY was preliminary. Channel 4 appears to be the only alternate channel available for use by WZKY in Orlando. However, because it is uncertain whether or not channel 4 will be included in the "core" DTV spectrum¹ Reece will conduct a more complete study to determine the possible impact of land mobile operations on use by WZKY of channel 14 for its

¹ See Sixth Report and Order at ¶¶ 77-84.

DTV operations and possible other alternate DTV channels for WZKY in Orlando.

Respectfully submitted,

REECE ASSOCIATES LIMITED

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Its Attorneys

August 22, 1997

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**ENGINEERING STATEMENT
ON BEHALF OF
WZKY(TV), ORLANDO, FLORIDA
CONCERNING SUPPLEMENT
TO PETITION FOR RECONSIDERATION
MM DOCKET NO. 87-268**

AUGUST 1997

**COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.**

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

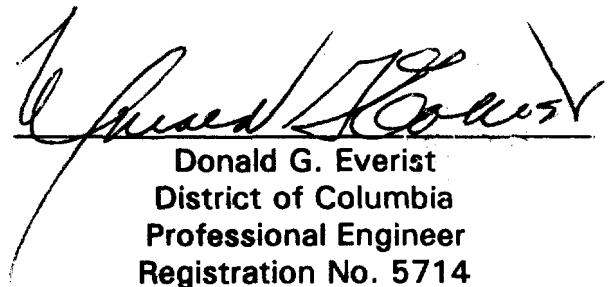
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

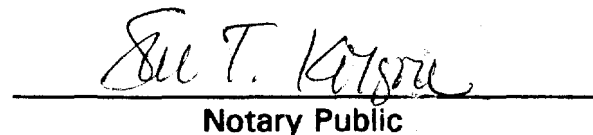
That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.


Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

Subscribed and sworn to before me this 22nd day of August, 1997.


Notary Public

My Commission Expires 2001
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires December 14, 2001

This engineering statement has been prepared on behalf of Reece Associates, Limited and provides a further assessment than that provided in its Petition for Reconsideration. This further assessment is based upon examination of OET Bulletin No. 69 released July 2, 1997.

Television station WZKY(TV) has been assigned a DTV Channel 14. Examination has been made of the data¹ provided in a study commissioned to scrutinize the characteristics of the DTV signal when generated in circuits typical of broadcast final amplifiers. That report provides data which, among other things, indicates out-of-band emissions from DTV generated by a non-linear final radio frequency (RF) amplifier. The data places in doubt the ability to generate and maintain the emission level assigned to protect operations immediately adjacent to the 470 MHz to 476 MHz band.

A study has been made of other potential channels from which a DTV operation could be inaugurated. This frequency study finds that Channel 4 can be used at the proposed WZKY(TV) site, replicating the NTSC service area while causing minimal interference to proximate NTSC Channels 3 and 4. An application for modification of construction permit (FCC File No. BPCT-850320KR) has been filed for the proposed site which, as previously noted, has received FAA and local zoning approval. The proposed site has the following NAD-27 coordinates.

North Latitude: 28° 16' 44.3"

West Longitude: 81° 01' 24.8"

¹From a presentation entitled, "Transmitter Considerations for ATV (DTV), Robert J. Plonka, Harris Corp., Broadcast Division, November 22, 1996".

COHEN, DIPPELL AND EVERIST, P. C.

TABLE I
PROPOSED CHANNEL 4 DTV TO NTSC
ALLOCATION STUDY
AUGUST 1997

<u>Channel</u>		<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
				<u>Actual</u> km	<u>Required</u> km
N	4	WZWY-DTV	Orlando, FL	--	--
N-1	3	WEDU	Tampa, FL	131.9 *	146.4
N	4	WJXT	Jacksonville, FL	226.9 *	273.6
N	4	WFOR-TV	Miami, FL	268.0 *	273.6

*Reduced-spaced station, less than full facilities.

COHEN, DIPPELL AND EVERIST, P. C.

TABLE II
DTV TO NTSC
FCC CHANNEL 14 ALLOCATION STUDY
AUGUST 1997

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required</u> km
N	14	WZVY-DTV Orlando, FL	--	--
N	14	Land-Mobile Miami, FL	289.2	250.0
N+1	15	WECU New Smyrna Beach, FL	100.0	88.5
N+2	16	WUSF-TV Tampa, FL	130.9	96.6
N+3	17	None within 130 km	--	96.6
N+4	18	WKCF Clermont, FL	33.8 *	96.6
N+7	21	WTCE Fort Pierce, FL	114.0	96.6
N+8	22	None within 130 km	--	96.6

*Reduced-spaced station.

COHEN, DIPPELL AND EVERIST, P. C.

TABLE III
DTV TO DTV
ALLOCATION STUDIES
AUGUST 1997

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required</u> km
N	4	WZKY-DTV Orlando, FL	--	--
N-1	3	None within 190 km	--	96.6
N	4	None within 320 km	--	273.6

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required</u> km
N	14	WZKY-DTV Orlando, FL	--	--
N-1	13	None within 130 km	--	88.5
N	14	None within 270 km	--	223.7
N + 1	15	None within 130 km	--	88.5